

## **REMARKS**

The Office Action dated January 29, 2004, enumerates several objections and rejections to the claims and specifications. Each of these issues will be addressed in the same order as provided in the Office Action dated January 29, 2004.

### **Specification**

The specification is objected to because a hyperlink is provided on page 17 in paragraph [00054]. The applicant is providing a replacement paragraph to remove the embedded hyperlink of the web address provided in paragraph [00054]. The brackets denote removed material, the underlining denotes added material (i.e., the underlining should not appear after the amendment is entered).

### **Claim Objections**

Claim 15 and 16 were objected to because claim 15 recites “the fire alarm monitor” of claim 14, but inadvertently depended from claim 12. Through the amendment enclosed herein claim 15 now properly depends from claim 14. This is not believed to address the substantive scope of claim 15 since the examiner correctly identified its proper dependency from claim 14 when examining the claim.

### **Double Patenting**

The Examiner has properly observed that claims 1-22 as originally filed were subject to the doctrine of obviousness-type double patenting since they were broader than claims 1-42 of U.S. Patent No. 6,625,464.

This objection has been addressed by narrowing the scope of the independent claims to include the almost identical claim scope of the ‘464 Patent as is provided in allowed claim 1 of U.S. Patent No. 6,625,464. In fact, claim has been added into the remaining independent claims

provided in this application. Accordingly, since all the claims in this application are now narrower than claim 1 of the '464 Patent, they are believed to be proper for further examination.

If the remaining arguments which relate to rejections under 35 U.S.C. § 102 and 103 are amendments accepted by the examiner, then the applicant can provide the requested terminal disclaimer to fully comply with 37 CFR § 3.73(b), if necessary.

**Claim Rejections Under 35 U.S.C. § 102 and 103**

Claims 1, 4-6, 9 and 11 were rejected as being rejected by Payne, U.S. Patent No. 6,021,433. As the Examiner observed, claim 1 as originally filed was broader than claim 1 allowed in co-owned U.S. Patent No. 6,625,464. The Payne reference was considered in the earlier filed application. Claim 1 has been cancelled without prejudice or disclaimer. Claim 2 has been amended to provide the limitations as were allowed for claim 1 in the '464 Patent, and further adding the limitation of a sensor. Claim 4 has been amended and now incorporates all the limitations of claim 1 of the '464 Patent and adds the limitation of specific receiver command operation. Claim 5 and 6 depend from amended claim 4. Claim 9, as amended, depends from new claim 24 and incorporates the limitations of claim 1 of the '464 Patent and adds the limitation of monitoring an e-mail account. Claim 11 depends indirectly from amended claim 2. Payne no longer anticipates claims 4-6, 9 and 11 as affected by the enclosed amendment.

Claims 1-3, 11-12, 14 and 19 were rejected as being anticipated by Raizen, U.S. Patent No. 4,692,742. The examiner relies on the commercially available receiver such as a Motorola Sprint Pager. This type receiver is not believed to be user-programmable and is therefore not believed to be taught by the Raizen '742 Patent. Claim 1 has been cancelled without prejudice or disclaimer. At least on this basis, as effected by the amendment to claim 2 to include the limitations of claim 1 of allowed U.S. Patent No. 6,625,464, Raizen is now not believed to render

claims 2 or 11 obvious. Claim 3 has been amended to incorporate the limitations of claim 1 of the '464 Patent and physical location identifiers. Claim 12 has been cancelled as has claim 19 without prejudice or disclaimer. Furthermore, claim 14 now depends from amended claim 2 which is believed to be allowable.

Claim 1-6, 8-9, 11-12, 14, 19-20 and 22 were rejected as being obvious over Payne in combination with Liebesny, U.S. Patent No. 5,131,020. Claims 1, 12 and 19 have been cancelled without prejudice or disclaimer. Claims 2 and 3 have been amended to include all the limitations of claim 1 of U.S. Patent No. 6,625,464. Amended claim 2 also provides for the use of a sensor to provide a output to an information generator. In amended claim 3, the programming of physical locations with identification numbers is provided. In amended claim 3, the ability to perform commands within a particular receiver is provided. The claims that depend from amended claim 4, namely, claims 5-6 are also believed to be allowable. Claims 8 and 9 now depend from newly added claim 24 which provides for the use of a monitor to assist the information generator in generating a signal. Claim 24 incorporates the limitations of claim 1 of the '464 Patent. Claim 11 indirectly depends from claim 2. Claim 14 depends indirectly from amended claim 2. Claims 20 and 22 depend from amended claim 3. Accordingly, these claims are now believed to be in proper form for allowance as well, as they are non-obvious over Payne in view of Liebesny.

Claim 7 has been rejected as being obvious over Payne in view of Liebesny, Patent No. 5,131,020 in further view of Fascenda, U.S. Patent No. 5,241,341. Claim 7 depends from amended claim 4 and is believed to be allowable on that basis.

Claim 10 has been rejected as being obvious over Payne alone or in combination with Liebesny in further view of Duckeck, U.S. Patent No. 5,303,401. Claim 10 depends indirectly from amended claim 2 and is believed to be allowable for reasons provided above for claim 2.

Claims 13-14 and 17 are rejected as being obvious over Payne and Liebesny as applied in further view of Blanchard, U.S. Patent No. 4,558,181. Claims 13, 14 and 17 now depend indirectly from amended claim 2 and are believed to be allowable for reasons discussed above.

Claim 15 is rejected as being obvious over Payne, Liebesny and Blanchard as applied in further view of Holland, U.S. Patent No. 4,641,343. Once again, claim 15 depends indirectly from amended claim 2 and is believed to be allowable for reasons provided above for claim 2.

Claim 16 has been rejected as being obvious over Payne, Liebesny, Blanchard and Holland in further view of Nishihara, U.S. Patent No. 4,897,862. Claim 17 depends indirectly from amended claim 2 and is believed to be allowable for reasons provided above.

Claim 18 is rejected as being obvious over Payne, Liebesny, and Boone, U.S. Patent No. 4,713,661. Claim 18 depends indirectly from amended claim 2 and is believed to be allowable for reasons provided above.

Claim 21 is rejected as being obvious over Payne and Liebesny in further view of Mardus, U.S. Patent No. 5,095,532. Claim 21 now depends from amended claim 3 and is believed to be allowable for the reason provided above for claim 3.

### **Conclusion**

The amendment to this continuation in part application has narrowed the scope of the independent claims to be narrower than the scope of claim 1 provided in issued U.S. Patent No. 6,625,464. Just like the claims that were allowable in the '464 Patent, these claims are believed to be similarly allowable and such action is now respectfully requested. Upon withdrawal of the

remaining rejections, a terminal disclaimer will be filed for the remaining pending twenty-one claims. An additional independent claim has been added and an additional fee of \$43.00 is enclosed with this response. Any additional payments or overpayments may be accounted to Deposit account number 13-3403.

Respectfully submitted,

Date: April 28, 2004

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**\*\*\* VERSION SHOWING CHANGES MADE \*\*\***

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**[00054]** The RBDS standard is described in detail on the RDS organization website at

*a* <http://www.rds.org.uk/rds98/rds98.htm> <http://www.rds.org.uk/rds98/rds98.htm>. The RBDS

standard utilizes 16 groups of information, referred to as groups 0 to 15.

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